IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 10584 of 2007(I)

PETITIONER:

M.K.SANTHI, AGED 45, W/O. SASIMANY,
R.V.BHAVANAM, P.O.RAMAPURAM BASAR,
MEENACHIL, PALA.

BY ADV. SRI.RAJIV NAMBISSAN

RESPONDENTS:
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1. SECRETARY,
SERVICE CO-OPERATIVE BANK, KIZHATHADIYOOR,
MEENACHIL, PALA, KOTTAYAM DISTRICT.

2. ASSISTANT REGISTRAR,
CO-OPERATIVE SOCIETY, MEENACHIL, PALA.

3. SPECIAL SALE OFFICER,
INSPECTOR OF CO-OPERATIVE SOCIETIES,
KIZHATHADIYOOR S.C.B. LTD.

BY ADV. SRI.P.C.HARIDAS
GOVT. PLEADER SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE NOTICE OF PROCLAMATION OF SALE DTD. 23-2-07 ISSUED BY R3**
EXT.P2	**TRUE COPY OF THE REQUEST DTD. 12-3-07 FILED BY THE PETITIONER BEFORE R2**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 10584 OF 2007

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Dated this the 14th day of June, 2007

JUDGMENT

Petitioner availed a loan from the first respondent bank, which he could not repay. Ext.P1 notice of proclamation of sale is challenged in this writ petition. Petitioner seeks a direction to pass orders on Ext.P2.

2. I heard learned counsel for the petitioner and the learned counsel for the respondent bank.

3. Learned counsel for the petitioner submits that petitioner may be permitted to pay off the entire amounts in easy instalments.

4. The writ petition is disposed of as follows:

The bank will serve a statement on the petitioner showing the exact amount of instalments payable by the petitioner within a period of two weeks from today. Upon receipt of the same,

petitioner is permitted to pay off the amounts remaining to be paid with due interest in five equal monthly instalments, the first of which shall be payable on or before 10/07/2007. Petitioner is to pay the succeeding instalments on or before the 10th of every succeeding months. If the petitioner does not pay any of the instalments as aforesaid, it is open to the respondent bank to proceed against the petitioner in accordance with law. If the petitioner continues to pay the instalments, proceedings will not be enforced against him.

K.M.JOSEPH
JUDGE

sv.

(K.M.JOSEPH, JUDGE)

sv.